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Jong-phil Kim

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EXAMINER

KHAN, ASHER R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/748,871

**Applicant(s)**

KIM ET AL.

**Examiner**

ASHER KHAN

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) 57-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_



## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Group I, claims 1-56 in the reply filed on April 8, 2008 is acknowledged. The traversal is on the grounds that the restriction requirement should be withdrawn because the search of independent claims 1,3 and 57 due to the significant degree of common subject matter in Groups I and II, should not be a serious burden on the Examiner. This is not found persuasive because the search of Group I does not require the search for Group II and the search of Group II does not require the search of Group I. For example search of Group I does not require a search of the claimed limitations "a main control unit...", "an input/output terminal unit." and etcetera of claim 57 of Group II and Group II does not require a search of the claimed limitations "a display menu for supporting....", "a decoder for decoding the still..." and "a memory for storing the still..." and etcetera of claims 1 and 3 of Group I. Since the searches of two Groups are different, there is a serious burden on the Examiner if the restriction is not required.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**1. Claim 1-3, 5, 9, 12-17, 19-24, 28-29, 32, 36, 39-44, 46-51 and 55-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in further view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li".**

As to Claims 1 and 3, Chan discloses an image recording/reproducing apparatus which records and reproduces a plurality of still image files and sound files with respect to a recording medium and provides a display apparatus with a screen of play list indicating sound files being currently reproduced, the recording/reproducing apparatus comprising:

a display menu (information screen 650) for supporting the display apparatus such that the plurality of still image files recorded in the recording apparatus are alternately displayed in a first predetermined (Fig. 6; Disk Information; also displaying sound files) area of the screen of play list (Abstract; Fig. 6; 0036--0038)

a decoder (Fig. 6, Processor chip 100) decoding the still image files and the sound files recorded in the recording apparatus (0020; Abstract);

a memory (DRAM 500) for storing the still image files and the sound files as decoded (0024); and

Chan does not expressly disclose a main control unit for performing a process operation such that, when the display menu is selected during the reproducing of the sound files stored in the memory, the plurality of still image files recorded in the recording apparatus are decoded and stored in the memory while the decoder is being

idle, and one or more files among the stored still image files are alternately displayed on a second predetermined area of the screen of play list.

Wolff discloses a main control unit for performing a process operation such that, when the display menu (Fig. 1, 102) is selected during the reproducing of the sound files stored in the memory one or more files among the stored still image files are alternately displayed on a second predetermined (Fig. 1, 103) area of the screen of play list (Col. 4, lines 43-67; Col. 5, lines 1 -67; Col. 6 line 1-29)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan with the teachings of Wolff. Motivation to combine would have been to provide modeless interface where a user can simultaneously view authored stories, view/ navigate through photographs and view/create new stories.

Li discloses that the plurality of still image files recorded in the recording apparatus are decoded and stored in the memory while the decoder is being idle (Fig. 5;0021-0029; If "L" is less then the value of "N" Master decoder has enough buffering length to decode and master decoder decodes while the Secondary decoder is idle.)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan and Wolff with the teachings of Li. Motivation to combine would have been to increase the decoding efficiency by providing two decoding units instead of one decoder.

As to claim 2, Wolff discloses wherein the main control unit further performs a process operation such that the plurality of still image files, which are recorded in the

same folder (Fig. 5A and 5B; meta3.xml, 520) as the sound files of the sound file list, are decoded when the display menu is selected (Figs. 4, 5A, 5B; Col. 10, lines 25-44).

As to claims 5 and 32, Chan discloses wherein the main control unit further performs a random access capable of displaying or reproducing a file selected by a user from among a plurality of image files recorded in a recording medium by quickly reading the selected file (Abstract;0037).

As to claims 9 and 36, Chan discloses wherein the main control unit further continuously reproduces a plurality of image files recorded in a recording medium in an order of storage in the recording medium (0037).

As to claim 12 and 39, Chan further discloses wherein the main control unit further enables a user to recognize a folder in which a presently displayed file is located by providing a play list menu (Fig. 6;0036).

As to claim 13 and 40, Chan discloses wherein the main control unit further displays a 'Play List' of an image file recorded in a recording medium on a screen, and selects the file using the displayed 'Play List' (Fig. 6 and 0037).

As to claims 14 and 41, Chan further discloses wherein the main control unit further displays a plurality of diverse still picture files while a music file is reproduced to provide the music replay and the plurality of diverse still picture files at the same time (0037).

As to claims 15 and 42, Chan further discloses wherein the pluralities of diverse still picture files are provided as a slide show (Abstract).

As to claims 16 and 43, Chan further discloses wherein the main control unit further automatically reproduces a plurality of files when a recording medium containing the files is inserted, independent of the kinds of files (0038).

As to claims 17 and 44, Chan further discloses wherein the main control unit further displays additional information on a music CD on a screen when reproducing the music CD to allow a user to acquire the information on the music CD and select a desired song (Fig. 6; 0039).

As to claims 19 and 46, Chan further discloses wherein the main control unit further compresses and stores audio data having a CD- DA standard (0027).

As to claims 20 and 47, Wolff further discloses wherein the main control unit further adaptively adjusts a size of a still picture based on a size of a predetermined display area and displays the still picture in the predetermined display area (Col. 6, lines 8-15).

As to claims 21 and 48, Wolf discloses wherein said displayed still picture is provided having at least one of an aspect ratio and a display size suitable to the display area (Fig. 1, 103 area has aspect ration and a display area).

As to claims 22 and 49, Wolff further discloses wherein the main control unit further provides a menu for enabling a user to easily select and manipulate functions supported by the image recording/reproducing apparatus (Fig. 1; Col. 5, lines 53-63).

As to claims 23 and 50, wherein the main control unit further reproduces a recorded program from a beginning, while also continuously recording an externally-received program during a time-delay viewing function (Col. 5, lines 53-63).



As to claims 24 and 51, wherein the time-delay viewing function comprises a process operation such that an externally-received program is both recorded and reproduced at the same time (Col. 5, lines 53-63).

As to claims 28 and 55, Chan discloses wherein the main control unit further selects files of certain folders for display in a file list (disk information) and selects files of other folders (Aux. Reader information) and different types of recording medium for additional display in the file list (Fig. 6;0036).

As to claim 29 and 56, Wolff wherein the main control unit further performs a process to decode a plurality of still image files which are recorded in a folder (meta3.xml, 520; Fig. 5B) in which a plurality of sound files of a sound file list are also recorded when display menu (Fig. 1, 102) is selected (Figs. 1, 5A and 5B; Col. 10, lines 25-44).

**2. Claim 4, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent Pub 2002/0033889 At to Miyazaki.**

As to claims 4, 30 and 31, Chan as modified as proposed in claims 1 and 3 above discloses further comprising the step of: displaying the plurality of still image files are displayed on the second predetermined area according to the set period but does not expressly disclose displaying a screen of period setting menu for setting a display

period of the plurality of still image files when the display menu of the screen of play list is selected.

Wolff discloses further comprising the step of: displaying the plurality of still image files are displayed on the second predetermined area according to the set period (Col. 7, lines 34-60).

Miyazaki discloses displaying a screen of period setting menu for setting a display period of the plurality of still image files when the display menu of the screen of play list is selected (Fig. 17;0119).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Wolff as modified with the teachings of Miyazaki. Motivation to combine would have been to provide a control to a user to be able to set a time period to view an image for as long as the user deems necessary.

**3. Claim 6 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent Pub 2001/0056434 A1 to Kaplan et al. "Kaplan".**

As to claims 6 and 33, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further corrects a name of an image file recorded in a recording medium to allow a user to easily search for a desired file.

Kaplan discloses wherein the main control unit further corrects a name of an image file recorded in a recording medium to allow a user to easily search for a desired file (0007;0039 ;0059-0061).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Miyazaki. Motivation to combine would have been to keep track of and organize files containing multimedia content.

**4. Claim 7 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub. 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent Pub. 2002/0136539 A1 to Nakaya.**

As to claims 7 and 34, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further reproduces and displays a plurality of moving picture files recorded in a recording medium on a file list menu as moving pictures to allow a user to easily search for the image file recorded in the recording medium.

Nakaya discloses wherein the main control unit further reproduces and displays a plurality of moving picture files recorded in a recording medium on a file list menu as moving pictures to allow a user to easily search for the image file recorded in the recording medium (0049, 0066, 0079; Fig. 6A or 6B).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Nakaya. Rationale to combine would have been that all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of invention.

**5. Claim 8 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent Pub. 2002/0012522 A1 to Kawakami et al. "Kawakami"**

As to claims 8 and 35, Chan as modified as proposed in claims 1 and 3 above discloses wherein the main control unit further displays a list of image files recorded in a recording medium (Fig. 6).

Chan as modified does not expressly disclose displaying plurality of icons according to a kind of image file to illustrate the kind of image file.

Kawakami discloses displaying plurality of icons according to a kind of image file (thumbnail image) to illustrate the kind of image file (0335).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Kawakami. Motivation to combine would have been to cause a user to visually recognize types of files to which the images correspond.

**6. Claim 10,11, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent Pub. 2003/0123853 A1 to Iwahara et al. "Iwahara"**

As to claim 10 and 37, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further edits an image file.

Iwahara discloses wherein the main control unit further edits an image file (Fig 34B; 0268-0270).

As to claim 11 and 38, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further partially deletes a moving picture.

Iwahara discloses wherein the main control unit further partially deletes a moving picture (Fig 34B; 0268-0270).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Iwahara. Rationale to combine would have been that all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of invention.

**8. Claim 18 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S.**

**Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent 7,315,389 to Kuwata et al. "Kuwata"**

As to claims 18 and 45, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further skips and copies a plurality of files having a same file name when a plurality of files recorded in an optical recording medium (source) are copied into a mass storage magnetic recording medium

Kuwata discloses wherein the main control unit further skips and copies a plurality of files having a same file name when a plurality of files recorded in an optical recording medium (source) are copied into a mass storage magnetic recording medium (Destination) (Col. 9, lines 48-67); .

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Kuwata. Motivation to combine would have been to save space in memory by saving data files that are different from other data files.

**9. Claim 25 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent pub. 2002/0141580 to Okuyama.**

As to claims 25 and 52, Chan as modified as proposed in claims 1 and 3 above does not expressly disclose wherein the main control unit further automatically picks up

a title name of a DVD program and records the picked-up title onto a user data area when copying the DVD program onto a HDD.

Okuyama discloses wherein the main control unit further automatically picks up a title name of a DVD program and records the picked-up title onto a user data area when copying the DVD program onto a HDD (0042; It would be obvious to one of ordinary skill in the art to save the data in a title in the of DVD program and it would be design choice to choose a name that data was originally recorded in).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Okuyama. Motivation to combine would have been to provide a recording system that is able to record programs from one medium to other. Thus giving a user more control over their recording and reproducing device.

**10. Claim 26 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent pub. 2001/0055465 A1 to Inoue.**

As to claims 26 and 53, Chan as modified as proposed in claims 1 and 3 above discloses wherein the main control unit further stores a plurality of files in an appropriate place of a divided HDD with pointers according to at least one attribute of the respective files but does not expressly disclose to discriminatingly display at least one of a size of the files as stored and a remaining capacity of a memory area.

Wolff discloses wherein the main control unit further stores a plurality of files in an appropriate place of a divided HDD with pointers according to at least one attribute of the respective files (Col. 4, lines 35-43; Col. 10, lines 5-24).

Inoue discloses discriminatingly displaying at least one of a size of the files as stored and a remaining capacity of a memory area (Fig. 4, 0062-0067).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Wolf as modified with the teachings of Inoue. Motivation to combine would have been to allow a user to see what amount of memory is left for him or her to use for storing programs.

**11. Claim 27 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. 2004/0001704 A1 to Chan et al. "Chan" in view of U.S. Patent No. 6,833,848 to Wolff et al. "Wolff" and in view of U.S. Patent Pub 2003/0048848 A1 to Li et al. "Li" and in further view of U.S. Patent 5,969,719 to Tsujimoto.**

As to claims 27 and 54, Chan as modified as proposed in claims 1 and 3 above discloses wherein the main control unit further comprises: a flash memory for storing relevant link information, storing icon data in a HDD but does not expressly disclose providing at least one animation effect where icons are moved by using the icon data stored in the HDD.

Wolff wherein the main control unit further comprises: a flash memory for storing relevant link information, storing icon data in a HDD (Col. 4 lines 35-42 and Col. 12, lines 30-44).



Tsujimoto discloses providing at least one animation effect where icons are moved by using the icon data stored in the HDD (Col. 7, lines 49-67; Col. 8 line 1-4).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Tsujimoto. Motivation to combine would have been to provide an indication for a user to show that the icon has been selected by the user.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2621

/A. K./

Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621